

Food (1948) Department.

Ms SERIES.

G.O. NO. : 739

Dated 10.8.48

Passed
M

[Despatch Abstract.]

C. S. Fire wood and charcoal - Sathu Kanam - Decarhot
Collector's notification - cancelled

BOARD OF REVENUE (CIVIL SUPPLIES)

SUBJECT:

FIREWOOD - South Kanara - Decontrol of - Draft notification -

Board's Ref.No.R-II-13034/48
dated 26th July 1948.



V. S. HEJMADI ESQ., I.C.S.,
Commissioner of Civil Supplies.
Sri D. V. Nagarathnam,
Assistant Commissioner of Civil
Supplies, Chempauk, Madras (Fuel). ✓

✓ p3 below

READ: From the Collector of South Kanara D. Dis.10977-48
dated 30-6-48.

34125

Submitted to Government.

x p4 below

2. In the circumstances stated by the Collector of South Kanara the draft notification, submitted by him with his reference cited, may be approved.

D. V. Nagarathnam

✓ To the Secretary to the Government, Food Department, with enclosures.
Copy to the Collector of South Kanara.

1/25
PRN.21.7.
27.7.48

27/7/48

Copy of D.Dis.10977-848, dated 30-6-48 from the Collector of South Kanara addressed to the Board of Revenue, Civil Supplies, Madras.

CIVIL SUPPLIES-Firewood- decontrol-Draft notification-submitted.

Ref:- Board's Ref.R1.13034/48, dated 15-5-48

I enclose ~~maplex~~ copies of the two notifications issued by the Collector in this District in 1945 under rule 81(2) of the Defence of India Rules- 1) fixing the maximum wholesale and retail prices of firewood and charcoal in the District and regulating their sale by the dealers and contractors; and (2) authorising certain officers of the Revenue, Commercial and Police Departments to enter upon premises of business relating to firewood and charcoal and to inspect accounts and stocks.

2- After the lapse of the Defence of India Rules in 1946, redrafts of these notifications were submitted to the Board with this Office letter Ref.No.11865-46 dated 19-12-46 in reply to Board's Ref.No. 6851/46-10 CS, dated 13-11-46 for the approval of Government. In its Ref.No.6851/46-10 CS, dated 8-4-47 the Board said that the Collectors themselves could reissue the first notification in exercise of the powers delegated in G.O.Ms.No.1108 Food dated 9-12-46 and in regard to the second, the Board said that though the Collectors had no powers to issue a notification of the kind, the original order under the Defence of India rules would continue to be in force under the provisions of section 9(1) of the Madras Essential Articles Control and Requisitioning (Temporary Powers) Act 1946 and that there was no immediate necessity for its reissue by Government. It was decided by my predecessor that there was no need just then to re-issue the notification No.(1) as there was not much scarcity of firewood. The notification has neither been re-issued nor rescinded. The provisions of both the notifications have not been put into operation since then.

3/- Though in its reference dated 8-4-47, referred to in para 2 above, the Board said that the Collector himself could re-issue the first notification, I find that the said notification not only fixes prices but also regulates the sales in many ways; particularly it prohibits with-holding of stocks for sale, it fixes certain conditions for sales to industrial concerns and factories and it directs the maintenance of vouchers, exhibition of stock accounts and the allowing of inspection by certain officers. These come under clauses (d)(f) and (h) etc under section 3 sub section (2) of the Madras Act XIV of 1946. Only the powers under clause (b) of section 3(2) (the controlling of prices) have been delegated to the Collectors in G.O.Ms.No. 1108 Food dated 9-12-46, and not those under the other clauses. Therefore I do not think that I am competent to annul the first notification. I accordingly submit a draft notification formally cancelling both the Collector's notification, referred to in para 1 above, for the approval of Government.

sd x x x x x
for Collector.

(TRUE COPY)

P.T.O.

1/31
27.7.48.

S.R. KAIWAR ESQ., I.C.S.
Collector of South Kanara.

DRAFT NOTIFICATION.

In exercise of the powers conferred by sections 3(2) and 9(2) of the Madras Essential Articles Control and Requisitioning (Temporary Powers) Act, 1946 (Madras Act XIV of 1946), His Excellency the Governor of Madras hereby annuls the orders issued by the Collector of South Kanara in his two notifications No. Nil dated the 28th August, 1945 published at page 45 of the South Kanara District Gazette dated 20th September, 1945.

- (1) fixing the wholesale and retail prices of firewood and charcoal and regulating their sale in the South Kanara District; and
- (2) Authorising certain officers of the Revenue, Commercial and Police Departments to enter upon premises of business relating to firewood and charcoal and to inspect accounts and stocks in certain areas of the South Kanara District.

sd/S.R. Kaiwar.
30-6-48.

/True Copy/

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195
27.2.48

Received
27.2.48
Superintendent

In exercise of the powers under rule 81(2) of the Defence of India Rules conferred in G.O.No.423 Public (War), dated 21st January 1942, the Collector of South Kanara in supersession of all previous notifications issued on the subject issues the following order and with reference to sub-rule (1) of rule 119 of the Defence of India Rules directs that notice of this order shall be given by the publication of the same in the South Kanara District Gazette:-

- (1) No person shall sell firewood or charcoal within the area mentioned in the schedule below at a price exceeding that specified against each area.
- (2) Every person selling firewood or charcoal shall display and keep displayed in a prominent position in his shop or other place of business a copy of the list written in the language of the locality of the maximum prices fixed by the Collector.
- (3) Every such dealer shall issue to every purchaser of firewood or charcoal at the time of purchase a correct voucher showing his own name and address, the date of sale, the quantity sold, the name and address of the purchaser and the price charged and shall keep a duplicate copy of every such voucher to be available for inspection by any authorized officer of the Government.
- (4) Every such dealer shall give all facilities at all reasonable times to all officers of the Revenue Department not below the rank of Revenue Inspectors and officers of the Commercial Tax Department not below the rank of Assistant Commercial Tax Officers within their respective jurisdictions and officers of Police not below the rank of Sub Inspectors to enter upon any premises relating to the business in firewood or charcoal and to inspect the accounts and stocks relating thereto.
- (5) No such dealer shall withhold firewood or charcoal kept for sale to any person on demand and on offer of the prices fixed by the collector.
- (6) No forest contractor or dealer in firewood shall sell or otherwise dispose of firewood within the Mangalore Municipality to any tile factory or industrial concern without the specific authorization in writing of the Collector of South Kanara district.
- (7) The rates specified in the schedule below for the Mangalore Municipality area shall apply also to factories and industrial concerns in Mangalore.
- (8) If any person contravenes the provisions of the notification, then without prejudice to any other punishment to which he may be liable, any Court trying the offence may order that any stocks of firewood or charcoal together with their packages or coverings thereof in respect of which the Court is satisfied that an offence has been committed shall be forfeited to His Majesty.

SCHEDULE.

Description of firewood.	Maximum wholesale price per tone-of 12,240 lb.		Maximum retail price per candy of 560 lb	
	Dry unsplit firewood.	Dry split firewood.	Dry unsplit firewood.	Dry split firewood.

(1)	(2)	(3)	(4)	(5)
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Mangalore Municipality (places within two furlongs from the river side at Bunder).

	Rs.	Rs.	Rs.	Rs.
For civilian consumption, tile factories and other industrial concerns-				
Karimar and Casuarina.	28/-	33/-	8.3.0	9.7.0
Mixed variety of Mangalore ~~xxxxx~~ Pasandy.	26/-	31/-	7.11.0	8.15.0
Karimar and Casuarina	28/-	33/-	8.8.0	9.12.0
Mixed variety or Mangalore Pasandy.	26/-	31/-	8/-	9.4.0

Udipi Municipality.

Karimar and Casuarina	15/-	17/-	4-8-0	5/-
Mixed variety (jungle wood)	12-8-0	14-8-0	3.14.0	4.6.0

Puttur Town.

Superior variety such as Banapu, Marva, Tirva, Hopea, etc.	8-2-0	10-2-0	2-13-0	3.5.0
Mixed variety (jungle wood)	6.8.0.	8.8.0.	2.4.0.	2.12.0

Karkal Town.

Karimar and Casuarina.	8.2.0	10.2.0.	2.13.0	2.5.0
Mixed variety (junglewood)	6.8.0	8.8.0	2.4.0	2.12.0

Maximum wholesale price per ton of 2240 lb.	Maximum retail price per maund of 28 lb
Rs. 75	Rs. 15.

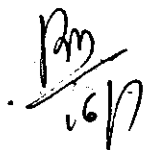
At site of production (outside Mangalore Municipality)	Rs. 40	As. 8.
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NOTE:- Retail price means the rate at which the dealer should sell in small quantities to the consumer" which term does not include industrial concerns.

/True Copy/



For Collector.



In exercise of the powers under rule 81 (2) of the Defence of India Rules conferred in G.O.No.243, Public (War), dated 21st January 1942 the Collector of South Kanara, in supersession of all previous notifications issued on the subject hereby authorizes the officers mentioned below within their respective jurisdictions to enter upon any premises relating to the business in firewood or charcoal and inspect accounts and stocks relating thereto within the municipalities of Mangalore and Udipi and the towns of Karkal and Puttur and with reference to sub-rule (1) of rule 119 of the Defence of India Rules, directs that notice of this order shall be given by the publication of the same in the South Kanara District Gazette; --

- (1) Officers of the Revenue Department not below the rank of Revenue Inspectors;
- (2) Officers of the Commercial Tax Department not below the rank of Assistant Commercial Tax Officers; and
- (3) Officers of the Police department not below the rank of Sub Inspectors.

These Officers are all empowered within their respective jurisdictions to enter upon and inspect any premises in which they have reason to believe that the purchase, sale or storage for sale of firewood or charcoal is taking place contrary to the provisions of the notification fixing the wholesale and retail maximum prices of firewood and charcoal in the district.

X

In exercise of the powers under rule 81 (2) of the Defence of India Rules conferred in G.O. No. 243, Public (War), dated 21st January 1942, and in supersession of the previous notification on the subject, the Collector of South Kanara, hereby orders that at the primary centres specified below in the district of South Kanara, the ceiling prices per 100 lb. for live sheep and goats shall be Rs.32(Thirty two) ;--

- (1) Mangalore, (2) Mulky, (3) Buntwal, (4), Kasaragod, (5) Hosdrug, (6)Puttur, (7) Beltangadi, (8) Karkal, (9) Udipi, (10) Coondapoor and (11) Baindoor.

2. If any person contravenes the provisions of this notification then without prejudice to any other punishment to which he may be liable, any Court trying the offence shall order that any stock of live sheep and goats in respect of which the Court is satisfied that the offence has been committed shall be forfeited to His Majesty, unless for reasons to be recorded in writing, it is of opinion that such direction should not be made in respect of the whole or any part of such stock.

3. With reference to rule 119 (1) of the Defence of India Rules, ~~xxxxxx~~ the Collector directs that notice of this notification should be given by the publication of the same in the South Kanara District Gazette and by beat of tom-tom in the villages concerned.

In exercise of the powers under rule 81 (2) of the Defence of India Rules conferred in G.O.No. 243, Public (War) and in pursuance of clauses 2 (b) and 9 of the Madras Meat Dealers'

in pursuance of clauses 2(b) and 9 of the Madras Meat Dealers' Control Order, 1945 and condition 5 of the ~~Madras Meat Dealers' Control Order~~ licence issued under clause 3 of the said Order, the Collector of South Kanara, in supersession of the previous notification issued on the subject, hereby authorizes --

(1) his Personal Assistant to exercise all the powers of the Collector under the Madras Meat Dealers' Control Order, 1945; --

(2) all officers of the Revenue department of and above the rank of a Deputy Tahsildar and all officers of the Police department of and above the rank of a Sub-Inspector, to exercise within their respective jurisdictions all the powers specified in clause 9 of the said order; and

(3) All officers of the Revenue Department of and above the rank of Revenue Inspector, the Special Revenue Inspector working under the Reception Deputy Tahsildar and all officers of the Commercial Tax department of and above the rank of the Assistant Commercial Tax Officer to inspect stocks and accounts within their respective jurisdictions in accordance with condition 5 of the licence issued under clause 3 of the abovesaid Order.

2. With reference to rule 119(1) of the Defence of Indian Rules, The Collector directs that notice of this notification should be given by the publication of the same in the South Kanara District Gazette and by service on the known dealers in the areas in which the Madras Meat Dealers' Control Order, 1945, has been brought into force.

28th August 1945.

(TRUE COPY)

South Kanara Collector's Office,
Mangalore. Dated 24-8-48.


For Collector.

DM.
16/7

Sub: C.S. Firewood and charcoal - South Kanara - ~~Control~~ =
 C.S.'s Notifications - Canceled ~~Edm~~ ~~Issued~~

Read. From the Bd. of Rev. (cs) No R11 13034/48 dated 26.7.48.
 Order Ms. No 739 dated 10.8.48

The following notification will be published in the
 Fort St. George Gazette:

..... Notification.

In exercise of the powers conferred by sections 3 and 9(2)
 of the Madras Essential Articles Control and Requisitioning (Temporary
 Powers) Act, 1946 (Madras Act XIV of 1946), His Excellency the
 Governor of Madras hereby annuls the ^{following issued by} ~~orders of~~ the Collector
 of South Kanara published in his two ~~notified~~ notifications
~~with No. 11~~ dated the 28th August 1945 published at page 45
 of the South Kanara District Gazette dated the 20th September
 1945.

(1) fixing the whole sale and retail prices of firewood and
 charcoal and regulating their sale in the South Kanara District; and

(2) authorizing certain officers of the Revenue, Commercial ^{Taxes}
 and Police Departments to enter upon ^(any) premises ~~of business~~
^{business in} or ^{and} relating to firewood and charcoal ^{to inspect accounts and stocks}
^{relating here to} in certain areas of the South Kanara District.

To the Supdt. Govt. Secy.

for publication in F.S.G.

the Bd. of Rev. (cs) ✓

the Collector of S. Kanara ✓

the Public Prosecutor, Madras ✓

the D. C. of Police, Madras ✓

Public works (D.P.) Dept ✓

the Supdt. X Branch C.D. Madras ✓

Copy P.S. to H.P. ✓

S.P. to Sp. Secy.

To As

The Bd's reference at p. 1 of with a copy of the letter
 from the Collector of S. Kanara at p. 3 of may be passed. The
 Bd's requests that in the ^{0's} stated by the Collector in para
 3 at p. 3 of, the draft notification submitted by the South Kanara Collector

may be approved. The draft notification is in order. The position stated by the collector in para 3 of his letter is correct. The draft notification which is in order may perhaps be approved by the Govt. subject to orders. The draft order overlaid incorporating the draft notification is submitted for approval. This may be sent to Legal Dept. for scrutiny.

DB
31.7.48
31.7.48

Legal
Legal Department.

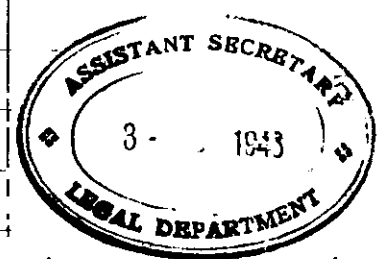
Food no no 34125P/48-1
2/8/48

The alterations indicated on the draft notification may be made.

DB
5.8.48

D.S. 5/8/48
For food

59548



The draft order overlaid, as altered by legal may now issue. For orders.

DB
9.8.48
9.8.48

Yes
meas
10/8/48
Recy.

For legal u. no. 9548/48-1
5/8/48

